

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18329 of 2017

Arising Out of PS.Case No. -251 Year- 2016 Thana -DEEPNAGAR District- NALANDA
(BIHARSHARIFF)

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1. Umesh Prasad, son of Late Parmeshwar Mahto
2. Dhananjay Kumar, son of Umesh Prasad Both are residents of village -
Mehneur, P.S. - Deepnagar, District – Nalanda Petitioners

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioners : Mr. Babita Kumari, Adv.
For the Opposite Party : Mr. Ajay Kumar-1, APP 6

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 19-04-2017 Heard the learned counsel for the petitioners,
the informant and the State.

This is a petition for grant of regular bail for
offence under Section 302/34 of the Indian Penal Code.

For land dispute, the petitioners and others are
alleged to have committed murder of the son of the
informant by throatling him while he was sleeping inside
the room. Father of the deceased is the informant of this
case and not the eye witness of the occurrence.

Submission of the petitioners is that merely
suspicion is there as evidence due to land dispute.

On the other hand, the learned counsel for the
informant opposed the prayer and submits that the case
diary would reveal that other eye witnesses have
supported the allegation on the petitioners.

There is no reason that claim of the eye witnesses
examined by the police at belated stage was not disclosed in the



first information report.

Considering the aforesaid fact, the petitioners, above named, are directed to be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each in connection with **Deepnagar P.S. Case No. 251 of 2016** to the satisfaction of the **Judicial Magistrate, 1st Class, Nalanda at Biharsharif**, or successor Court.

(Birendra Kumar, J)

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